

REMARKS

This is in response to the Office Action mailed on January 21, 2004, which considered pending claims 1-98. Claims 93 and 94 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 14-98 were rejected under the judicially created doctrine of double patenting as being unpatentable over claims 1-13 of U.S. Patent No. 6,282,167. All claims 1-98 were indicated to be allowable if the rejections under 35 U.S.C. § 112 and double patenting are overcome.

Claim Rejections – 35 U.S.C. § 112

With this Amendment After Final, claims 93 and 94 have been rewritten to remove the reference to previous claims, substituting the text of the claims previously referred to (claims 14 and 27). These amendments clarify that claims 93 and 94 are independent claims. Claims 93 and 94 have already been paid for as extra independent claims, as indicated by the Fee Transmittal filed with the Amendment of November 5, 2003 (showing six extra independent claims added by the Amendment, corresponding to new claims 93-98). The rejection of claims 93 and 94 under 35 U.S.C. § 112 should accordingly be withdrawn.

Double Patenting

With this Amendment After Final, Terminal Disclaimers and Submissions Under 37 C.F.R. 3.73(b) are submitted on behalf of both joint assignees of this application (France Telecom and Telediffusion De France S.A.). These documents are sufficient to overcome the rejection of claims 14-98 under the judicially created doctrine of obviousness-type double patenting.

Other Amendments

With this Amendment After Final, claims 21, 26, 27, 49, 58, 72, 76 and 89 have been amended to correct their form.


CONCLUSION

In view of the foregoing, all pending claims 14-98 are in condition for allowance. Entry of this Amendment After Final is proper under 37 C.F.R. 1.116(b), as the only amendments to the claims are made to improve their form and to satisfy requirements expressly made by the Examiner in the final Office Action. Accordingly, a Notice of Allowance is respectfully requested.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 4/30/04

By: 

Alan M. Koenck, Reg. No. 43,724  
THE KINNEY & LANGE BUILDING  
312 South Third Street  
Minneapolis, MN 55415-1002  
Telephone: (612) 339-1863  
Fax: (612) 339-6580

AMK